

emergency room doctor stated that the “firefighters saved this man’s life.” The patient needed to have a stint placed in the main artery of the heart and suffered some-short term memory loss, but he recovered and went home from the hospital in about 7 days. These men are true heroes. The town of Roland, the State of Oklahoma, and I are extremely thankful to them for their service and honored to have them serving one of Oklahoma’s finest communities.●

TRIBUTE TO ROBERT ALTMAN

● Mr. NELSON of Florida. Mr. President, today I honor the life and service of SGT Robert Altman, United States Army. Sergeant Altman is a member of the greatest generation that selflessly served our Nation during a time of perhaps the world’s greatest turmoil.

He risked his life and endured almost unbearable pain and suffering as a prisoner of the Japanese during World War II.

He gave so much—so that all of us might be free.

Sergeant Altman was a crew member on a B-17 stationed at Clark Field in the Philippines. It was just 3 days after the attack on Pearl Harbor that his bomber, commanded by another Floridian, CPT Colin P. Kelly, Jr., loaded three 600-pound bombs and took off with orders to attack airfields on what is now Taiwan.

On the way, the crew spotted a large Japanese invasion force landing on the north coast of Luzon in the Philippines.

Captain Kelly radioed Clark Field for permission to attack. But two calls brought only a response to stand by. Kelly and the crew made two practice runs at 20,000 feet, and then the bombardier released the bombs in a line from the carrier’s stern to its bow. According to Sergeant Altman, two of the three bombs bracketed the ship; one was a direct hit. The enemy boat began to sink and was scuttled by its captain.

On the way home to Clark Field, their lone B-17 was attacked and set aflame by Japanese Zeros. Kelly stayed with the plane long enough to allow everyone else to bail out, before he went down within miles of the airfield. Captain Kelly’s body was found near the site.

Sergeant Altman suffered serious injuries and soon after was offered a flight to safety. But he turned it down believing he could better serve his country by staying. He was subsequently captured and taken to Japan, where he was held as a POW for 40 months. During that time, he was forced into slave labor for the Japanese until his release from Omori Prison, Tokyo Bay on August 29, 1945.

But it was the early report of his and his crew’s heroism in that attack after Pearl Harbor that inspired a nation reeling in shock. Alone and far from friendly territory, Sergeant Altman and his fellow heroes served their country well.

Today, Bob is an avid Florida Gator fan and I will have the honor of presenting him this statement before the game on November 21. Captain Kelly’s younger sister, Emmy, and her children, Mary and Colin, will be there, too.

I would hope Bob gets to see many more games. Today, I send best wishes from the U.S. Senate to SGT Robert Altman and his family and friends, including the family of CPT Colin P. Kelly, Jr.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mrs. Neiman, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

MESSAGE FROM THE HOUSE

At 10:13 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 1506. An act to provide that claims of the United States to certain documents relating to Franklin Delano Roosevelt shall be treated as waived and relinquished in certain circumstances.

H.R. 3539. An act to designate the facility of the United States Postal Service located at 427 Harrison Avenue in Harrison, New Jersey, as the “Patricia D. McGinty-Juhl Post Office Building”.

H.R. 3767. An act to designate the facility of the United States Postal Service located at 170 North Main Street in Smithfield, Utah, as the “W. Hazen Hillyard Post Office Building”.

The message also announced that the House passed the following bills, without amendment:

S. 1314. An act to designate the facility of the United States Postal Service located at 630 Northeast Killingsworth Avenue in Portland, Oregon, as the “Dr. Martin Luther King, Jr. Post Office”.

S. 1825. An act to extend the authority for relocation expenses test programs for Federal employees, and for other purposes.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 3539. An act to designate the facility of the United States Postal Service located at 427 Harrison Avenue in Harrison, New Jersey, as the “Patricia D. McGinty-Juhl Post Office Building”; to the Committee on Homeland Security and Governmental Affairs.

H.R. 3767. An act to designate the facility of the United States Postal Service located at 170 North Main Street in Smithfield, Utah, as the “W. Hazen Hillyard Post Office Building”; to the Committee on Homeland Security and Governmental Affairs.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-3628. A communication from the Under Secretary of Defense (Acquisition, Technology and Logistics), transmitting, pursuant to law, a report relative to the implementation of earned value management (EVM); to the Committee on Armed Services.

EC-3629. A communication from the Deputy Secretary of Defense, transmitting the report of (3) officers authorized to wear the insignia of the grade of rear admiral in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

EC-3630. A communication from the Under Secretary of Defense (Comptroller), transmitting, pursuant to law, the report of a violation of the Antideficiency Act that occurred within the Defense Information Systems Agency in fiscal years 2003 and 2004, and has been assigned Defense Systems Information Systems Agency case number 06-01; to the Committee on Appropriations.

EC-3631. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency with respect to Syria that was declared in Executive Order 13338 of May 11, 2004; to the Committee on Banking, Housing, and Urban Affairs.

EC-3632. A communication from the President of the United States, transmitting, pursuant to law, a report on the continuation of the national emergency with respect to Iran that was declared in Executive Order 12170 on November 14, 1979; to the Committee on Banking, Housing, and Urban Affairs.

EC-3633. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Technical Amendment of Cross-Media Electronic Reporting Rule” (FRL No. 8980-7) received in the Office of the President of the Senate on November 10, 2009; to the Committee on Environment and Public Works.

EC-3634. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Oil Pollution Prevention; Spill Prevention, Control, and Countermeasure (SPCC) Rule—Amendments” (FRL No. 8979-8) received in the Office of the President of the Senate on November 10, 2009; to the Committee on Environment and Public Works.

EC-3635. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “Tier I Field Directive—The Use of Estimates from Probability Samples” (LMSB-4-0809-032) received in the Office of the President of the Senate on November 13, 2009; to the Committee on Finance.

EC-3636. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Industry Director's Directive No. 2—Super Completed Contract Method" (LMSB-4-0209-006) received in the Office of the President of the Senate on November 13, 2009; to the Committee on Finance.

EC-3637. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Update for Weighted Average Interest Rates, Yield Curves, and Segment Rates" (Notice 2009-88) received in the Office of the President of the Senate on November 13, 2009; to the Committee on Finance.

EC-3638. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Effective Date of Regulations Under Section 411(b)(5)(B)(i); Relief Under Section 411(d)(6); and Notice to Pension Plan Participants" (Announcement 2009-82) received in the Office of the President of the Senate on November 13, 2009; to the Committee on Finance.

EC-3639. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Withholding on Wages of Nonresident Alien Employees Performing Services Within the United States" (Notice 2009-91) received in the Office of the President of the Senate on November 16, 2009; to the Committee on Finance.

EC-3640. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to law, status reports relative to Iraq for the period of August 15, 2009, through October 15, 2009; to the Committee on Foreign Relations.

EC-3641. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed amendment to a manufacturing license agreement for the export of defense articles, including, technical data, and defense services to Australia relative to the manufacture and service of F/A-18 Trailing Edge Flaps, Trailing Edge Flap Shrouds, Ailerons, and Aileron Shrouds and their associated minor components and parts in the amount of \$100,000,000 or more; to the Committee on Foreign Relations.

EC-3642. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed amendment to a manufacturing license agreement for the export of defense articles, including, technical data, and defense services to Japan relative to the overhaul and manufacture of SIIS-3XT4/T4 ejection seats for the XT4/T4 trainer aircraft in the amount of \$100,000,000 or more; to the Committee on Foreign Relations.

EC-3643. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed amendment to a manufacturing license agreement for the manufacture of significant military equipment abroad relative to the Laser Target Designator/Range Finders and Gated Laser illuminators for Night Television for the AC-130U Gunship for end-use by the United States of America; to the Committee on Foreign Relations.

EC-3644. A communication from the Assistant Secretary, Bureau of Legislative Affairs,

Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed manufacturing license agreement for the manufacture of significant military equipment abroad relative to the manufacture of Modified 20mm 102mm PELE Ammunition for end-use by the United States of America; to the Committee on Foreign Relations.

EC-3645. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed manufacturing license agreement for the manufacture of significant military equipment abroad relative to the manufacture of the GAU-19 Gun for end-use by the United States of America; to the Committee on Foreign Relations.

EC-3646. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed manufacturing license agreement for the manufacture of significant military equipment abroad relative to the modification CH-47SD Chinook Helicopters to the CH-47F configuration for end-use by Singapore in the amount of \$50,000,000 or more; to the Committee on Foreign Relations.

EC-3647. A communication from the Director, Directorate of Standards and Guidance, Occupational Safety and Health Administration, transmitting, pursuant to law, the report of a rule entitled "Revising Standards Referenced in the Acetylene Standard; Final Rule" (RIN1218-AC08) received in the Office of the President of the Senate on November 10, 2009; to the Committee on Health, Education, Labor, and Pensions.

EC-3648. A communication from the Assistant General Counsel of the Division of Regulatory Services, Office of Postsecondary Education, Department of Education, transmitting, pursuant to law, the report of a rule entitled "Institutions and Lender Requirements Relating to Education Loans, Student Assistance General Provisions, Federal Perkins Loan Program, Federal Family Education Loan Program, and William D. Ford Federal Direct Loan Program" (RIN1840-AC95) received in the Office of the President of the Senate on November 10, 2009; to the Committee on Health, Education, Labor, and Pensions.

EC-3649. A communication from the Deputy Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "New Animal Drug Applications" (Docket No. FDA-2009-N-0436) received in the Office of the President of the Senate on November 10, 2009; to the Committee on Health, Education, Labor, and Pensions.

EC-3650. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report entitled "Fiscal Year 2008 Medical Device User Fee and Modernization Act of 2002 (MDUFMA) Financial Report"; to the Committee on Health, Education, Labor, and Pensions.

EC-3651. A communication from the Director, Congressional Affairs, Federal Election Commission, transmitting, pursuant to law, a report entitled "Federal Election Commission 2009 Performance and Accountability Report"; to the Committee on Homeland Security and Governmental Affairs.

EC-3652. A communication from the Acting Director, Pension Benefit Guaranty Corporation, transmitting, pursuant to law, the Corporation's Annual Management Report for fiscal year 2009; to the Committee on Homeland Security and Governmental Affairs.

EC-3653. A communication from the Acting General Counsel, National Indian Gaming

Commission, transmitting, pursuant to law, the report of a rule entitled "Amendments to Various National Indian Gaming Commission Regulations" (RIN3141-0001) received in the Office of the President of the Senate on November 12, 2009; to the Committee on Indian Affairs.

EC-3654. A communication from the Director of Legislative Affairs, Office of the Director of National Intelligence, transmitting, pursuant to law, a report relative to the vacancy in the position of Principal Deputy Director of National Intelligence, received in the Office of the President of the Senate on November 13, 2009; to the Select Committee on Intelligence.

EC-3655. A communication from the General Counsel, Executive Office for Immigration Review, Department of Justice, transmitting, pursuant to law, the report of a rule entitled "Application of Immigration Regulations to the Commonwealth of the Northern Mariana Islands" (RIN1125-AA67) received in the Office of the President of the Senate on November 12, 2009; to the Committee on the Judiciary.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. KERRY for the Committee on Foreign Relations.

*James LaGarde Hudson, of the District of Columbia, to be United States Director of the European Bank for Reconstruction and Development.

*Jose W. Fernandez, of New York, to be an Assistant Secretary of State (Economic, Energy, and Business Affairs).

*Frederick D. Barton, of Maine, to be Representative of the United States of America on the Economic and Social Council of the United Nations, with the rank of Ambassador.

*Daniel W. Yohannes, of Colorado, to be Chief Executive Officer, Millennium Challenge Corporation.

*Gustavo Arnavat, of New York, to be United States Executive Director of the Inter-American Development Bank for a term of three years.

*Frederick D. Barton, of Maine, to be an Alternate Representative of the United States of America to the Sessions of the General Assembly of the United Nations, during his tenure of service as Representative of the United States of America on the Economic and Social Council of the United Nations.

*Robert R. King, of Virginia, to be Special Envoy on North Korean Human Rights Issues, with the rank of Ambassador.

*William E. Kennard, of the District of Columbia, to be Representative of the United States of America to the European Union, with the rank and status of Ambassador Extraordinary and Plenipotentiary.

Nominee: William E. Kennard.

Post: Chief of Mission—USEU.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, and donee:

1. Self: \$2300, 2/27/07, Obama for America; —\$2300, 2/27/07, Obama for America; \$2300, 2/27/07, Obama for America; \$2300, 3/29/07, Obama for America; —\$2300, 3/29/07, Obama for America; \$2300, 3/29/07, Obama for America; \$1000, 9/28/07, Udall for Colorado; \$2300, 9/30/07, Chris Dodd for President; \$5000, 11/30/07,